

Legislative Updates of interest for Higher Education

Week of Apr. 14 – Apr. 18, 2008

Budget Update –

The full Senate began its deliberations on FY 2008-09 budget recommendations on Tuesday. By late Wednesday evening, the Senate gave third reading to the budget bill. The bill now goes back to the House and it is expected that a Conference Committee will be named in the upcoming week to work out differences in the Senate and House versions of the budget.

The Senate approved the budget bill with very few changes to the recommendations of the Senate Finance Committee. Recommendations for higher education funding remained unchanged from those advanced by the Senate Finance Committee. A summary of these recommendations is available in the update for the [week of April 7 – April 11](#). Of significance, the Senate did approve an amendment to provide a 1% pay raise for state employees. As was reported previously, Senate Finance had initially recommended a 2% pay increase, but then amended its recommendation to 0% in light of revised revenue estimates received from the Board of Economic Advisors. Also of note during the Senate deliberations, a number of temporary Part 1B provisos were ruled out of order for violating [Senate Rule 24](#) resulting in these provisos being deleted from the Senate recommendations. Complete information on the provisos that were deleted is available in the [Senate Journal for April 16](#). The following provisos are specific to higher education and were ruled out-of-order, and therefore, deleted from the Senate recommendations:

6.10. (CHE: Furlough) relating to authority and procedures for voluntary furloughs in light of reductions in general fund appropriations for institutions of higher education

6.11. (CHE: Unspent Scholarship Grants) relating to any appropriations from any unspent balance in the Higher Education Scholarship Grants share of the Children's Education Endowment Fund

6.14. (CHE: Gifted Student Scholarship Criteria) relating to Palmetto Fellows scholarship eligibility for exceptionally gifted South Carolina resident students who are accepted into an institution of higher learning without having attended or graduated from high school

6.17. (CHE: International Exchange Program Abatement) relating to the allowance of a waiver of the out-of-state tuition differential for students from international institutions at public colleges and universities that have an established and ongoing exchange program approved by the Board of Trustees with the international institution

18.4. (TEC: NC/GA Reciprocal) relating to the allowance of a waiver of the out-of-state tuition differential at the South Carolina Technical Colleges for students from bordering North Carolina and Georgia communities when a negotiated reciprocal agreement is in place or when students from these out-of-state communities are employed by South Carolina employers who pay South Carolina taxes.

80A.14. (BCB: Higher Education Salary Limit Exemption) which exempts higher education institutions from the requirement that the salaries of employees shall not exceed ninety-five percent of the midpoint of the agency head salary range or the agency head actual salary, whichever is greater.

As a reminder, the aforementioned provisos are included in the House budget recommendations. The Senate also approved amendments for two other Part 1B provisos affecting higher education. First, the Senate adopted amendments to Proviso 6A.29, which had been added by Senate Finance and would provide a waiver of the out-of-state tuition differential for those establishing residency in South Carolina but working full-time in adjoining NC or GA counties. The amendments to the proviso clarify that eligible persons are establishing their primary residence in SC and also provide for CHE to seek a reciprocal agreement with GA and NC. This proviso would enact the same provisions as [S.1233](#) which is reported on below. The Senate also adopted a new proviso which is to be included in CHE's section of Part 1B provisos. This new proviso would allow the Division of Veterans Affairs to suspend the age limitation on the grounds of a serious extenuating health condition for those children of certain war veterans who may be admitted to any public college free of tuition. The current age limitation is 26.

Again, please keep in mind that the budget is not final yet. The Senate's recommendations will be returned to the House and a conference committee will be named to work out the differences. Before the budget is finalized, the

Governor will have an opportunity to veto items, and the General Assembly will consider any vetoes before finalizing the budget.

In the House –

On Tuesday, [S.1252](#) relating to the CoEE program and expenditure of CoEE fund interest earnings was received in the House, given its first reading, and referred to the House Ways and Means Committee. [H.4520](#), relating to the authority and process by which USC could issue revenue bonds to provide funds for a new business school facility and renovation of the Close-Hipp building, was amended and given third reading by Wednesday. This bill has now been introduced in the Senate and referred to the Senate Finance Committee. On Thursday, CHE regulations for the National Guard College Assistance Program ([Document # 3196](#)) were introduced in the House and referred to House Education and Public Works. The legislative review period for these regulations expires March 23, 2009. [S.1077](#) relating to a procurement exemption for FCC licenses authorizing use of educational broadband service spectrum granted to Greenville and Trident Technical Colleges was received in the House and placed on the calendar without reference. By Thursday, S.1077 had received third reading and was enrolled for ratification.

During the week, the Full House Education and Public Works Committee met. Among legislation considered were two bills relating to higher education: [H.4451](#) relating to state scholarship programs and citizenship requirements and [H.4368](#) relating to garnishment of wages for outstanding educational benefits at public colleges and universities. The Committee voted to give favorable reports on these bills which will be reported back to the House for consideration. Also, the full Ways and Means Committee met during the week. They voted to give a favorable report to [H.4953](#) relating to SC LightRail. This legislation will now be considered by the full House.

In the Senate –

See above report on Senate budget considerations. In regard to other legislation considered during the week by the Senate, the following actions are noted. On Tuesday, the Senate received favorable reports with amendments from the Senate Education Committee on [S.1233](#) relating to the waiver of the out-of-state tuition differential for those establishing residency in South Carolina but working full-time in adjoining NC or GA counties and [H.4680](#) relating to the make-up of the Spartanburg Technical and Community College Area Commission. Both bills received second reading on Wednesday after the Committee amendments were adopted and were given third reading on Thursday. [S.1207](#) relating to the composition of the SC State Board of Trustees was given its second reading, and on Wednesday, it received third reading and was sent to the House.